

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

ROSAMVER PACHECO-LARIOS

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

Civil Case No.: 12-CV-05332-LHK
Related Criminal Case No.: 11-CR-00284-LHK

ORDER GRANTING UNITED
STATES' MOTION FOR 45-DAY
EXTENSION


Petitioner Rosamver Pacheco-Larios ("Petitioner"), a prisoner in federal custody, has filed a Motion to Vacate, Set Aside, or Correct a Sentence pursuant to 28 U.S.C. § 2255 ("Motion"). On November 19, 2012, this Court ordered Respondent United States of America ("Respondent") to file, by December 19, 2012, an answer or other response to the Motion.

On January 18, 2013, Respondent submitted a motion requesting a 45 day extension of time to respond to Petitioner's Motion. *See* ECF Nos. 20, 20-1. In Respondent's motion requesting an extension, Respondent states that the Assistant United States Attorney who was previously assigned to Petitioner's case, Suzanne DeBerry, left the United States Attorney's Office before the Court's Order directing Respondent to answer was filed, and that the case was not reassigned to another AUSA. *See* ECF No. 20. As a result, Respondent did not become aware of the Court's Order until last week. *See id.* Respondent also states that, because Petitioner's file is closed, Respondent will need time to recover the file. *See id.* Respondent therefore requests that

Respondent be permitted a 45 day extension to file its response. *Id.* Good cause appearing, the Court extends Respondent's deadline to respond to Petitioner's Motion to March 9, 2013.

IT IS SO ORDERED.

Dated: January 23, 2013


LUCY H. KOH
United States District Judge

United States District Court
For the Northern District of California